

REMARKS

In the present Amendment, the claims have been amended to recite that the 5-aminolevulinic acid (ALA) phosphate salt is “isolated and purified.” Support for the amendment is found, for example, in the Examples of the specification. No new matter has been added, and entry of the Amendment is respectfully requested.

Claims 2-5, 12, 13 and 18-21 are pending.

Applicants submit that the present claims are patentable over the cited references for at least the reasons set forth in the Response under 37 C.F.R. § 1.116 filed August 23, 2011, and for an additional reason set forth below.

In the Advisory Action dated September 8, 2011, the Examiner states that the request for reconsideration has been considered but does not overcome the rejection because “Applicants’ claims are note limited to isolated and purified.”

In response, the claims have been amended to recite that the ALA phosphate salt is “isolated and purified.”

Allowance is respectfully requested. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Hui C. Wauters/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Hui C. Wauters
Registration No. 57,426

WASHINGTON DC SUGHRUE/265550

65565

CUSTOMER NUMBER

Date: October 14, 2011